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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

RAYMOND AYALA,

Plaintiff,

VS.

FRANKLIN COUNTY COURT,

Defendant.

NO. CV-09-5103-CI

ORDER ADOPTING REPORT AND RECOMMENDATION AND DISMISSING ACTION

Magistrate Judge Imbrogno filed a Report and Recommendation on February 17, 2010, recommending Mr. Ayala's action be dismissed for failure to comply with the filing fee requirements of 28 U.S.C. § 1915(a)(2) and for failure to keep the court apprised of his current address. A copy of the Report and Recommendation sent to Mr. Ayala at the Franklin County Jail was returned with the notation, "Not in Custody." Plaintiff has provided no other address.

There being no objections, the Court **ADOPTS** the Report and Recommendation (Ct. Rec. 7). The action is **DISMISSED WITHOUT PREJUDICE** for failure to comply with the filing fee requirements and for failure to keep the Court apprised of a current address.

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IT IS SO ORDERED. The District Court Executive is directed to enter this Order, enter judgment, forward a copy to Plaintiff at this last known address and close the file. The Court certifies an appeal of this Order would not be taken in good faith.

DATED this 8th day of March 2010.

S/ Edward F. Shea
EDWARD F. SHEA
United States District Judge

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